

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence for Application No. 09/710,487 is being electronically transmitted to Technology Center 2416, via EFS-WEB, on May 4, 2009.

/Charles R. Figer, Jr./  
Charles R. Figer, Jr., Reg. No. 62,518

May 4, 2009  
Date

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hench et al. Confirmation No.: 5334  
Serial No.: 09/710,487  
Filing Date: November 10, 2000  
Examiner: Anh Vu H Ly  
Art Unit: 2416  
Title: METHOD AND APPARATUS FOR THE PREDICTION AND  
OPTIMIZATION IN IMPAIRED COMMUNICATION SYSTEM  
Attorney Docket:

Cincinnati, Ohio

May 4, 2009

**AMENDMENT UNDER 37 C.F.R. § 1.111**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Non-Final Office Action mailed February 2, 2008. The Examiner has indicated that claims 1, 2, 4, 6-20, 22, 24-31, 33 and 35-41 are pending in the application. Claims 1, 2, 4, 6-20, 22, 24-31, 33 and 35-41 stand rejected. Claims 1, 7-10, 12, 13, 15, 19, 22, 26, 30, 31, 36 and 38 are objected to. The present response includes the following:

Amendments to the Specification:	None
Amendments to the Claims:	Pages 2 - 7
Amendments to the Abstract:	None
Amendments to the Drawings:	None
Remarks:	Pages 8 - 10
Attachments:	None